

## Subchapter 12: Discrimination Complaints Procedure

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### 12-1. DEFINITION

a. "Qualified" handicapped person, in this context, means one who:

(1) with or without reasonable accommodation, can perform the essential duties of the position in question without endangering the health or safety of himself or others, and

(2) either meets the experience and/or educational requirements of the position in question or meets the criteria for appointment under a Schedule A appointing authority.

### 12-2. GENERAL

Qualified handicapped persons may file a complaint on the basis that they have been

discriminated against in connection with employment because of a physical or mental handicap. Any qualified handicapped person who is employed in or is an applicant to the Department can file a complaint.

### 12-3. PROCEDURE

a. **Applicants.** Handicapped applicants who believe that they have been discriminated against because of physical or mental handicap should contact the Equal Employment Opportunity Office within the operating administration where the alleged discrimination occurred.

b. **Employees.** Handicapped employees should contact their designated Equal Employment Opportunity Counselor.